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8 *Attorney for Defendant, Jan Rouven Fuechtener*

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 JAN ROUVEN FUECHTENER,

12 Defendant.

CASE NO.: 2:16-CR-100-GMN-CWH

**STIPULATION TO CONTINUE
SENTENCING HEARING**

13 IT IS HEREBY STIPULATED AND AGREED, by and between Elham Roohani and Lisa
14 C. Cartier-Giroux, Assistant United States Attorneys, counsel for the United States of America, and
15 Karen A. Connolly, counsel for Defendant JAN ROUVEN FUECHTENER, that the sentencing
16 hearing currently scheduled for August 2, 2018, at the hour of 9:00a.m., be vacated and continued
17 to September 27, 2018, at 10:30 a.m.

18 This Stipulation is entered into for the following reasons:

- 19 1. The parties agree to the continuance due to Defense Counsel being out of the
20 jurisdiction on August 2, 2018.
21 2. The additional time requested herein is not sought for purposes of delay.
22 3. Additionally, denial of this request for continuance could result in a miscarriage of
23 justice.

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4. This is the seventh request to continue the sentencing date.

DATED this 2 day of July, 2018.

KAREN A. CONNOLLY, LTD.

DAYLE ELIESON
United States of America

/s/ Karen A. Connolly
KAREN A. CONNOLLY
Counsel for Jan Rouven Fuechtener

/s/ Elham Roohani
ELHAM ROOHANI
LISA C. CARTIER-GIROUX
Assistant United States Attorneys
Counsel for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAN ROUVEN FUECHTENER,

Defendant.

CASE NO.: 2:16-cr-100-GMN-CWH

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties agree to the continuance due to Defense Counsel being out of the jurisdiction on August 2, 2018.
2. The additional time requested herein is not sought for purposes of delay.
3. Additionally, denial of this request for continuance could result in a miscarriage of justice.
4. This is the seventh request to continue the sentencing date.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

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ORDER

IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled for August 2, 2018, at the hour of 9:00 a.m., be vacated and set continued to September 27, 2018, at the hour of 10:30 a.m.

DATED this 3 day of July 2018.


UNITED STATES DISTRICT JUDGE